

OFFICE OF THE STATE'S ATTORNEY

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CIRCUIT COURT
DIVISION

ST. MARY'S COUNTY, MARYLAND

March 4, 2024

The Honorable William C. Smith, Jr.
Chairman, Senate Judicial Proceedings Committee
11 Bladen Street
Annapolis, Maryland 21401

Dear Chairman Smith and Members of the Judicial Proceedings Committee:

As the State's Attorney for St. Mary's County, I write in strong support of SB1075—Criminal Law – Distribution of Heroin or Fentanyl Causing Serious Bodily Injury or Death (Victoria and Scottie's Law). My office prosecutes offenses, including all violations of controlled dangerous substance laws and crimes against persons.

Fentanyl-related deaths have increased between 2017-2021 from 1,594 to 2,344—an alarming 47% increase over the five-year period.¹

In comparison, in 2021, there were 524 motor vehicle fatalities² and 649 total murders.^{3 4} The combined number of people killed by motor vehicles (524) and all total murders (649) is 1,173 total decedents. This means that Marylanders are 113.725% more likely to die from overdose by opioids than by any other type of murder or by motor vehicle fatality.

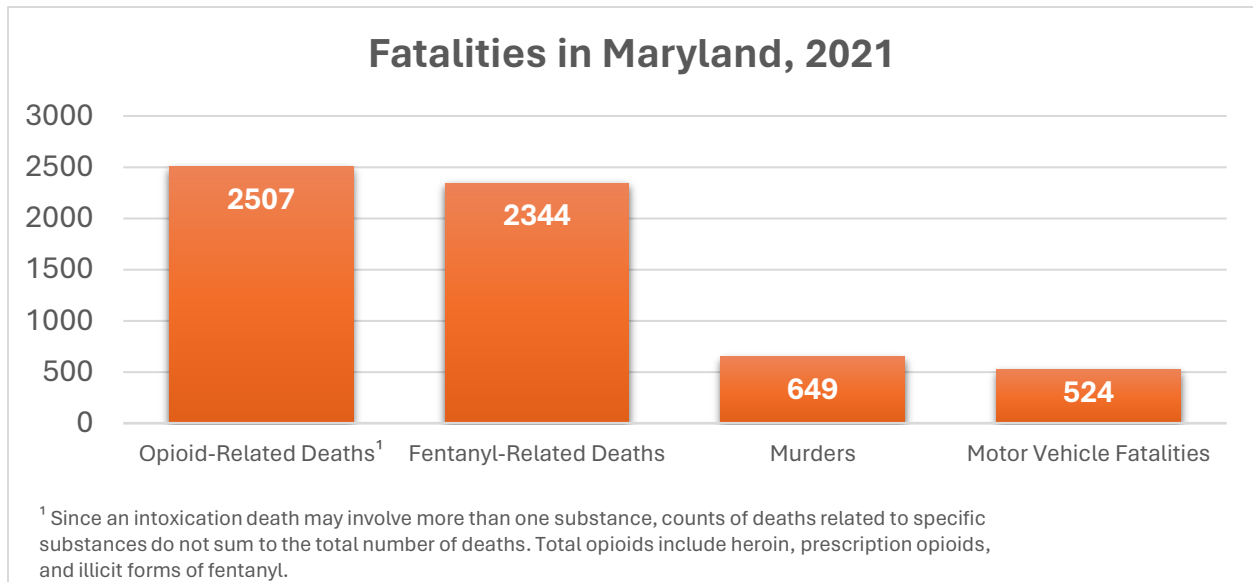
If you look purely at the raw data, in 2021, 649 people were murdered, 524 people were killed in a motor vehicle collision, and 2,507 people died as a result of an opioid overdose death. If you added the total number of people murdered (649) with the total number of people killed in a motor vehicle collision (524) and then doubled that number (2,346), that total number of deaths is still less than the opioid-related overdose deaths (2,507).

¹ Maryland Department of Health Vital Statistics Administration, Unintentional Drug- and Alcohol-Related Intoxication Deaths in Maryland, 2021, Opioid-Related Deaths, Number of Unintentional Opioid-Related Deaths Occurring in Maryland by Substance, 2012-2021: https://health.maryland.gov/vsa/Documents/Overdose/2021_AnnualIntoxDeathReport.pdf

² Maryland Department of Transportation, Highway Safety Office, Statewide Crash Summary Fatal Crashes, 2020: <https://zerodeathsmd.gov/resources/crashdata/>

³ Maryland Department of State Police, 2021 Uniform Crime Report, Summary Crime Index Offenses, Murder: <https://mdsp.maryland.gov/Document%20Downloads/2021%20Crime%20In%20Maryland%20Book-3.pdf>

⁴ "Total murders" to include murder by firearms, knives, poison, weapons, strangulation, and every related murder category with the exception of homicide by motor vehicle or overdose death.



And yet, Maryland currently has no law that holds the distributors of these poisons accountable when those actions result in the death of another.

Although some states, such as neighboring Pennsylvania, and the federal government, have enacted laws to address specifically the distribution of opioid drugs resulting in death, Maryland lags behind. This is in spite of the fact that **Maryland has the 11th highest opioid overdose death rate in the nation as of 2021.**⁵

SB1075 is a strong step in the right direction to ensure that those distributors of fentanyl and heroin are held responsible for the loss of life resulting from their criminal actions. It will bring a measure of justice to the family members of those lost to this deadly epidemic.

I have been an ardent advocate and fierce supporter of trying to strike the right balance and finding the right solution to take on this epidemic for nearly a decade – I strongly urge a favorable report on SB1075.

Respectfully,

Jaymi Sterling
State's Attorney for St. Mary's County

⁵ The last year for which statistics are available, according to the CDC:
https://www.cdc.gov/nchs/pressroom/sosmap/drug_poisoning_mortality/drug_poisoning.htm